

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CIRBA INC. (d/b/a DENSIFY)
and CIRBA IP, INC.,

Plaintiffs,
v.

VMWARE, INC.,

Defendant.

Civil Action No. 1:19-cv-00742-LPS

JURY TRIAL DEMANDED

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs Cirba, Inc. and Cirba IP, Inc. (“Densify”), in accordance with Rule 65 of the Federal Rules of Civil Procedure, hereby move for a preliminary injunction. Densify respectfully requests that the Court issue a preliminary injunction preventing Defendant VMware, Inc. (“VMware”) and its officers, directors, agents, servants, employees, and attorneys, and other persons who are in active concert or participation with them, from making, using, selling, or offering for sale products that infringe U.S. Patent No. 8,209,687 (“the ’687 Patent”), including without limitation, vRealize Operations (“vROps”) 7.0 and 7.5, pending a trial on the merits.

The grounds for this motion are set forth in Plaintiffs’ Opening Brief in Support of their Motion for Preliminary Injunction (the “Opening Brief”). Filed contemporaneously with this Motion and the Opening Brief are the following:

- The Declaration of Andrew Hillier and exhibits thereto in support of this Motion;
- The Declaration of Dr. Vijay Madisetti and exhibits thereto in support of this Motion;
- The Declaration of Riyaz Somani in support of this Motion;
- Plaintiffs’ Motion for a Hearing and Expedited Discovery;
- Plaintiffs’ Opening Brief in Support of their Motion for a Hearing and Expedited

Discovery; and

- Plaintiffs' Motion for Extension of Page Limits requesting three additional pages for Plaintiffs' Opening Brief in Support of their Motion for Preliminary Injunction;

Accordingly, for the reasons set forth in Plaintiffs' Opening Brief, Densify respectfully requests that the Court issue an order preliminarily enjoining VMware and its officers, directors, agents, servants, employees, and attorneys, and other persons who are in active concert or participation with them, from making, using, selling, or offering for sale products that infringe the '687 Patent, including without limitation, vROps 7.0 and 7.5, until a trial can be held on the merits.

Dated: May 6, 2019

Respectfully submitted,

/s/ Kenneth L. Dorsney
Kenneth L. Dorsney (#3726)
kdorsney@morrisjames.com
Morris James LLP
500 Delaware Avenue, Suite 1500
Wilmington, DE 19801
Telephone: (302) 888-6800

Sarah O. Jorgensen
(*pro hac vice* application pending)
sjorgensen@reichmanjorgensen.com
Reichman Jorgensen LLP
1201 West Peachtree, Suite 2300
Atlanta, GA 30309
Telephone: (650) 623-1403
Telecopier: (650) 623-1449

Christine E. Lehman
(*pro hac vice* application pending)
clehman@reichmanjorgensen.com
Reichman Jorgensen LLP
1615 M Street, NW, Suite 300
Washington, DC 20036
Telephone: (202) 894-7311
Telecopier: (650) 623-1449

Courtland L. Reichman
(*pro hac vice* application pending)
creichman@reichmanjorgensen.com
Shawna Ballard
(*pro hac vice* application pending)
sballard@reichmanjorgensen.com
Jennifer P. Estremera
(*pro hac vice* application pending)
jestremera@reichmanjorgensen.com
Phillip Lee
(*pro hac vice* application pending)
plee@reichmanjorgensen.com
Joachim B. Steinberg
(*pro hac vice* application pending)
jsteinberg@reichmanjorgensen.com
Michael G. Flanigan
(*pro hac vice* application pending)
mflanigan@reichmanjorgensen.com
Reichman Jorgensen LLP
303 Twin Dolphin Drive, Suite 600
Redwood Shores, CA 94065
Telephone: (650) 623-1401
Telecopier: (650) 623-1449

Jaime Cardenas-Navia
(*pro hac vice* application pending)
Reichman Jorgensen LLP
100 Park Avenue, Suite 1600
New York, NY 10017
Telephone: (646) 921-1474
Telecopier: (650) 623-1449

ATTORNEYS FOR PLAINTIFFS
CIRBA INC. (D/B/A DENSIFY)
AND CIRBA IP, INC.